

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Upon entry of the above amendments claims 24, 26-27 and 30-33 will be pending and claims 1, 2, 4-7, 9, 10, 14-18, 25, 28, 29, and 34 will stand withdrawn. The Applicants note that claim 25 is listed as both withdrawn and rejected in the previous Office Action and, therefore, respectfully request clarification regarding the status of this claim. The amendments to claim 24 are fully supported throughout the specification, for example, at page 11, lines 20-29. Accordingly, no new matter has been presented.

Claims 24, 26, 27 and 30-33 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-5 and 11-18 of U.S. 6,626,197. The Applicants will submit an appropriate Terminal Disclaimer upon an indication of allowable subject matter.


Claims 24, 26, 27 and 30-33 stand rejected under 35 U.S.C. §102(b) as anticipated by Jacobson *et al.*, *J. Org. Chem.*, Vol. 44, No. 22, pages 4013-4014 (1979). The Applicants submit that the presently pending claim 24 is free of the cited art. Accordingly, the Applicants respectfully request the withdrawal of this rejection. Furthermore, Applicants submit that withdrawn claims 25, 28 and 29 are fully embraced by and depend from claim 24, and therefore, Applicants respectfully request that the Examiner rejoin these claims and indicate their allowance.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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